

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

PRESENT
THE HON'BLE MR JUSTICE R.SUBHASH REDDY
WRIT PETITION NO : 32705 of 1997

Dated 21st September, 2006

Between
G.Pandu

... Petitioner

And

The State of A.P. represented by its
Secretary to the Government
Education Department, Secretariat,
Hyderabad and others.

... Respondents

ORAL ORDER:

The petitioner who has worked as Demonstrator in the third respondent- private aided college filed this writ petition in the year 1997 seeking directions by way of mandamus to continue him in service till he attains the age of 60 years.

In the affidavit filed in support of the writ petition, it is merely stated that as no rules are framed by 3rd respondent, the petitioner is entitled to continue till 60 years of his age.

In the counter affidavit filed on behalf of 3rd respondent, it is stated that the retirement is effected after attaining the age of 58 years in accordance with Section 78-A of the A.P. Education Act, particularly, in view of sub-section (1) of said Section, which provides that every teacher or member of the non-teaching staff employed in any aided private educational institution not belonging to Last Grade Service shall retire from service on the afternoon of the last day of the month in which he attains the age of 58 years.

In that view of the matter, there is no illegality in retiring the petitioner at the age of 58 years. The writ petition, therefore, is dismissed. No costs.

21.9.2006

VR

REDDY, J.

R.SUBHASH

